

**DRAFT MINUTES**  
**of the Second Meeting of the**  
**Art Therapy Technical Review Committee**

**November 19, 2019**  
**9:30 a.m. to Noon**  
**Lower Level Conference Room “A”**  
**The Nebraska State Office Building, Lincoln, NE**

**Members Present**

**Kevin Low, DDS (Chair)**  
**Su Eells**  
**Karen Jones**  
**Wendy McCarty, Ed.D.**  
**Michael J. O’Hara**  
**Ben Greenfield, Perfusionist**  
**Marcy Wyrens, RRT**

**Members Absent**

**Staff Present**

**Matt Gelvin**  
**Ron Briel**  
**Marla Scheer**

**I. Call to Order, Roll Call, Approval of the Agenda**

Dr. Low called the meeting to order at 9:35 a.m. The roll was called; a quorum was present. Dr. Low welcomed all attendees and committee members. The Open Meetings Law was posted in the meeting room, and the meeting date and time were advertised online at <http://dhhs.ne.gov/Licensure/Pages/Credentialing-Review.aspx>. The committee members unanimously approved the agenda for the second meeting and the minutes of the first meeting.

**II. Committee Questions on the Proposal**

Doug Zbylut, Executive Director of Nebraskans for the Arts, informed the committee members that the other members of the applicant group could not be in attendance at this meeting and that he would do the best he could to answer questions even though he is not an Art Therapy practitioner, himself, and further clarified that his involvement with the group is that of a political advisor.

During the ensuing interaction between Mr. Zbylut and the committee members it became clear that most of the questions being asked by the committee members called for the expertise of actual Art Therapy practitioners in order for these questions to be answered thoroughly. From this point on the committee members devoted the remainder of their time to identifying issues and questions that as yet have not been answered by the applicant group, such as the following:

- What credentialed mental health professions would be exempted from the terms of the Art Therapy proposal, if any?
- To what degree does Art Therapy education and training overlap with the education and training of other mental health professionals such as LMHPs, for example? Mr. Zbylut commented that information available to him indicates that the overlap is something like 55 % vs. 45 % with the latter figure representing what is unique about Art Therapy education and training, for example.
- Do patients get referred to Art Therapists for treatment? If so, what practitioners typically

make such a referral? And, what kind of specific health problems or conditions get referred to an Art Therapist? Mr. Zbylut responded that Art Therapy is used to treat autism, brain injuries, and stress disorders. He added that often a referral occurs when a patient's communication abilities are non-verbal but can utilize visual abilities to communicate.

- What is the nature of the harm to the public from the current unregulated status of Art Therapy? If there is harm is it serious enough that licensing Art Therapists is necessary to address this harm?
- Have regulatory alternatives to licensure been considered such as registration, for example?
- How would the credential created by the proposal be administered? Would there be a licensing board for Art Therapy if the proposal were to pass or some other alternative form of administration?
- Is Art Therapy a profession or a modality? What skill sets or abilities are defined as essential for the safe and effective practice of Art Therapy? How do these skill sets or abilities compare with those of such mental health professionals as LMHPs, for example?
- Can the scope of practice of Art Therapy be clearly defined?
- How does the education and training of Art Therapist pertinent to diagnosis compare with that of LMHPs, for example?
- Should Art Therapy practitioners first become licensed as LMHPs and then become Art Therapists via a certification process for a sub-specialty within LMHP?
- Is there a national examination for Art Therapy?
- Would the Art Therapy proposal provide for any of the following:
  - Continuing education?
  - Grandfathering?
  - Exemptions?
  - Renewal of credentials?

### **III. Public Comments**

There were no public comments at this juncture of the meeting.

### **IV. Other Business and Adjournment**

There being no further business, the committee members unanimously agreed to adjourn the meeting at 10:35 a.m.